

## **Section 3: Definitions**

For the purposes of this By-law, the definitions and interpretations given in this Section shall govern.

### **Abattoir**

Shall mean a building or structure designed for the slaughter and semi-processing of live animals, which may include the packing, treating, storing, and sale of the product on the premise.

### **Accessory Building or Structure**

Shall mean a detached building or structure that is not used for human habitation, the use of which is naturally and normally incidental to, subordinate to and exclusively devoted to a principal use and located on the same lot.

### **Accessory Use**

Shall mean a use naturally and normally incidental to, subordinate to, or exclusively devoted to a principal use and located on the same lot. Accessory uses do not include new uses of land, buildings or structures that involve taking more than 10,000 litres per day of ground or surface water, except for agricultural uses up to 50,000 litres per day.

### **Agricultural Bulk Sales Establishment**

Shall mean the use of land and/or buildings or structures for the purpose of supply of goods, materials or services that are necessary to support agricultural uses as defined in this By-law. These shall include such goods and services as sale, processing and storage of seed, feed, fertilizer, and chemical products and animal and poultry health and breeding services.

### **Agricultural Equipment Sales/Services Establishment**

Shall mean a building and lot used for the display and sale of new and/or used farm equipment and may include the servicing, repair and lubrication of farm equipment, the sale of farm equipment accessories and related products and the leasing or renting of farm equipment.

### **Agricultural Produce Outlet/Roadside Stand**

Shall mean the use of lands, buildings or structure or part thereof for the purpose of selling agricultural produce grown in the agricultural community.

### **Agricultural use**

Means the use of land, buildings or structures for the purpose of animal husbandry, horticulture, dairying, fallow, and/or forestry, and shall include field crops and pasturage, and any other farming use excluding intensive or specialty agriculture; and includes: the growing, raising, packing, treating, storing and sale of produce produced on the premises and other similar uses customarily carried on in the field of general agriculture, and shall include non-commercial greenhouses, and exclude kennels.

### **Agricultural Operation, Intensive**

Shall mean an agricultural use in which the predominant economic use of land, buildings, or structures includes the growing of mushrooms, a commercial greenhouse, Concentrated Animal Feeding Operations (such as poultry operations and feedlots), or large scale cash crops, or as otherwise defined in the Nutrient Management Act SO 2002.

Intensive agricultural operations shall include any or all of the types listed below:

**i. Concentrated Animal Feeding Operations (CAFO's):**

Where the number of livestock units on the farm is 100 or more and the ratio of livestock units to tillable acres on the farm unit is 2 or greater., OR, the number of livestock units on the farm unit is 150 or more and the ratio of livestock units to tillable acres is greater than one. (Livestock unit equivalency is defined in Table 4, Section 5.26 of this By-law).

**ii. Large Scale Cash Crops:**

Where the farm acreage exceeds 2,000 hectares

**iii. Mushroom Operations and Commercial Greenhouses**

Where the area devoted to the operation (land and buildings) exceeds 6 hectares or greater than 2 hectares of the land used for the operation is covered by buildings and structures.

### **Agriculture, Specialty**

Shall mean the use of land buildings or structures for the purpose of specialized agricultural activities such as; an apiary, fruit farming, market gardening, organic farming, and nursery uses.

### **Airport**

Shall mean the use of land licensed by Transport Canada for the landing and take-off of commercial and /or private aircraft and will include any building accessory thereto.

### **Alter**

When used in reference to a building or part thereof, means any modification to the structural component of a building or structure that results in a change of use or an increase or decrease in the floor area.

When used in reference to a lot, the word 'alter' means to increase or decrease the width, depth, or area of any required yard, setback, or boundary of such lot with respect to a street or lane, whether such alteration is made by conveyance or alienation of any portion of said lot or otherwise.

### **Arena**

Shall mean a building or structure used for indoor sporting or community activities.

### **Assembly Hall**

Shall mean premises used for the purposes of hosting meetings for civic, educational, charity, religious or social purposes.

### **Basement**

Shall mean a story that has 50% or more of its height/volume above the average level of the ground surrounding the building.

### **Bed & Breakfast Establishment**

Shall mean sleeping accommodation for the traveling or vacationing public within a single dwelling which is the principal residence of the proprietor, to a maximum of four guest rooms, and may include the provision of breakfast and other meals and services, facilities or amenities for the exclusive use of the occupants. The guest rooms shall not have kitchen facilities, nor in any other way resemble a motel or Inn, and guests should not have access to kitchen facilities

A bed and breakfast establishment shall be permitted in any zone in which a single-family residential dwelling is a permitted use; however, is not permitted in combination with any other type of accommodation such as roomers and boarders and accessory apartments. In addition, bed and breakfast establishments are considered a home occupation and governed according to the General Provisions of this By-law.

### **Boat House**

Shall mean a detached accessory building or structure which is designed or used for the sheltering of a boat or other forms of water transportation, and does not have a dwelling located above it. A Boat House may be considered permanent or portable or floating in nature. To be considered portable or floating in nature, the Boat House must be seasonal or temporary in nature, and removed prior to the winter months. Examples of portable or floating boathouses are those structures which sit on-top of the ground or sand in the water, and are not permanently fastened.

### **Boarding or Rooming House**

Shall mean a dwelling in which lodging with or without meals is supplied for economic gain to three or more persons other than the lessee, tenant, or owner of said dwelling, or any member of his/her family, but excludes a motel, hotel, hospital or bed and breakfast establishment.

### **Building**

Shall mean a structure, whether temporary or permanent, as defined within the Building Code, used or intended to be used for the shelter, accommodation or enclosure of persons, goods or chattels.

### **Building Envelope**

Shall mean the buildable area of a lot located outside a Wetland Zone, Hazard Zone or Constraint Area (See Figure 1), defined by all required setbacks and maximum height requirements, within which a building can be erected, as established in this By-law.

### **Building Official/Inspector**

Means the officer or employee of the corporation charged with the duty of enforcing the provisions of the Ontario Building Code.

**Building Supply Establishment**

Shall mean a building and lot for the sale and storage of building materials and equipment, and may include the incidental assembly/fabrication for the purpose of sales and service only.

**Building Setback**

Shall mean the minimum horizontal distance between the front lot line and the nearest part of any building, structure or open storage use on the lot.

**Bulk Fuel Sales Establishment**

Shall mean the use of lands or buildings for the purpose of buying and selling fuel, oil, wood, and coal, and allied commodities but does not include any manufacturing, assembling, or processing uses.

**Cabin, Sleeping**

Shall mean a building designed and built for temporary human habitation containing separate heating facilities but not culinary or sanitary facilities, shall not be made available for remuneration, and shall only be permitted by way of a site specific zoning by-law amendment.

**Campground**

Shall mean a recreational establishment operated by a private or public organization where children or adults are temporarily accommodated in tents, cabins, cottages, or lodges, or recreational vehicles.

**Carport**

Shall mean a building where at least 40% of the area of the perimeter face is open and unobstructed by any wall, door, post, or pier. Is used for temporary parking or storage of motor vehicles (1 ton max.), and where no servicing is carried on for profit.

**Cellar**

Means a storey that has more than 50% of its height or volume below the average level of the ground surrounding the building or structure.

**Cemetery**

Means a cemetery within the meaning of the Cemetery Act, R.S.O. 1992.

**Clinic, Medical**

Shall mean building or part thereof used by qualified medical practitioners, dentists, chiropractors, or other drugless practitioners, for public or private medical, surgical, physio therapeutic or other human health purposes, except when included within or accessory to a private or public hospital.

**Clinic, Veterinary**

Shall mean building, or part thereof, used by a veterinary surgeon for the treatment and care of animals, birds, or other livestock.

### **Club, Commercial**

Shall mean any club other than a private club.

### **Club, Private**

Shall mean a building, or part of a building, used as a meeting place for members of an organization and includes, amongst others, a lodge, a fraternity or sorority house, and a labour union hall, such as a Legion, Lion's Club, Kiwanis, etc.

### **Commercial**

Shall mean the use of lands, buildings, or structures, for the purpose of buying and selling commodities, and supplying of services, as distinguished from such uses as manufacturing or assembling of goods, warehousing, transport terminals, construction and other similar uses.

### **Commercial, Small-Scale**

Shall mean a commercial activity which is located on agricultural or rural lands, and which exceeds the provisions for a Home Industry use. In the case of agricultural lands, the small-scale commercial use shall be directly supportive and related to the agricultural operation and located in close proximity to farm operations in the area. In the case of rural lands, the small-scale use shall serve the needs of the immediate area and the agricultural/rural community, and the location poses no operating constraints to an existing farm. Refer to the General Provisions of this By-law for regulations pertaining to small-scale commercial uses.

### **Commercial Water Taking**

Shall mean a use of land where water is extracted from surface or ground water and where some or all of such extracted water is transported from the site for commercial sale.

### **Community Centre**

Shall mean a building in which facilities are provided for such purposes as meetings for civic, educational, political, religious, or social functions, but does not include any continuous commercial use.

### **Condominium**

Shall mean an individual ownership in a multiple unit development with common elements, as defined by the Condominium Act, R.S.O., 1998.

### **Conservation**

Shall mean the use of land for the purpose of maintaining or enhancing the natural environment and shall include the provision of proper environmental conditions.

### **Contractor's Yard**

Shall mean a yard of any building trade or contractor where equipment and material are stored or where a contractor or tradesman performs shop or assembly work.

**Convenience Store**

Shall mean a retail store servicing the daily or occasional needs of the residents in the immediate area with a variety of household items such as groceries, patent medicines, sundries, tobacco, stationary, and hardware.

**Convention Facility**

Shall mean a building in which facilities are provided for such purposes as meetings for large groups of civic, educational, political, religious or social purposes, and may or may not include a kitchen facility.

**Council**

Means the Council of the Corporation of the Municipality of Grey Highlands.

**County**

Means the Corporation of the County of Grey.

**Court Yard**

Shall mean an uncovered area bounded on all sides by buildings and used for such uses as a passive recreational area, swimming pool, deck, or children's play area.

**Custom Workshop**

Shall mean a building or structure, or part thereof, where the manufacturing of small quantities of articles is performed by a tradesman requiring manual or mechanical skills, but does not include machining, stamping, or forging of materials.

**Day Care Center**

Shall mean a premise that receives more than five children who are not of common parentage, primarily for the purpose of providing temporary care, or guidance, or both temporary care and guidance for a continuous period not exceeding twenty four hours where the children are: a) under eighteen years of age in the case of a day nursery for children with a developmental handicap and b) under ten years of age in all other cases, but does not include: c) part of a public school, separate school, private school, or a school for the trainable handicap children under the Education Act R.S.O. 1990, as amended from time to time.

**Development**

Shall mean the construction, erection, or placing of one or more buildings on land or the making of an addition or alteration to a building.

**Development, New**

Shall mean the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the Planning Act, but does not include activities that create or maintain infrastructure authorized under an Environmental Assessment process or works subject to the Drainage Act.

**Dock**

Shall mean a structure in the form of a platform used for loading or unloading passengers and equipment into a boat. To be considered portable or floating in nature, the dock must be seasonal or temporary in nature, and removed prior to the winter months. Examples of portable or floating docks are those structures, which sit on-top of the ground or sand in the water, and are not permanently fastened.

**Dry Cleaning Distribution Outlet**

Shall mean a building used for the purpose of receiving articles or goods or fabric to be subjected to the process of dry cleaning, dry dyeing, or cleaning elsewhere, and for the pressing and distribution of any such articles or any such process.

**Dry Cleaning Establishment**

Shall mean a building in which the business of dry cleaning, dye drying, cleaning, or pressing of articles or goods of fabric is carried on in which only noncombustible and non-flammable solvents are used which emits no odours, fumes, noises, etc.

**Dwelling**

Shall mean a building occupied, or capable of being occupied, exclusively as a home, residence, or sleeping place by one or more persons, but shall not include hotels, motels, mobile homes, travel trailers, tents, campers, etc.

**Dwelling, Apartment House**

Shall mean a separate building of two or more storeys consisting of 3 or more dwelling units with shared access and exit from a common entrance at street level.

**Dwelling, Converted**

Shall mean a building, because of size or design, has been converted by partition and the addition of sanitary and cooking facilities into more than one dwelling unit.

**Dwelling, Duplex**

Shall mean a building that is divided horizontally into 2 dwelling units, each of which has an independent entrance; directly from the outside or through a common vestibule.

**Dwelling, Farm**

Shall mean a single family detached dwelling that is naturally and normally incidental, subordinate, or exclusively used in conjunction with a farm and is on the same lot.

### **Dwelling, Mobile Home**

Shall mean a factory-built, single-family dwelling having a floor area of not less than 55 square metres designed to be towed on its own chassis (notwithstanding that its running gear is or may be removed), placed on permanent foundations and connected to public utilities, equipped for year-round occupancy and containing therein facilities for cooking or for the installation of cooking equipment as well as sanitary facilities including a flush toilet and a shower or bathtub. This definition shall not include a tourist trailer or modular home as defined herein.

### **Dwelling, Modular Home**

Shall mean a factory-built, single-family dwelling having a floor area of not less than 55 square metres which is transported in two sections or more, to the site, placed on a full basement and connected to public utilities, equipped for year-round occupancy, and containing therein facilities for cooking or for the installation of cooking equipment as well as sanitary facilities including a flush toilet and shower or bathtub. This definition shall not include a tourist trailer or mobile home as defined herein.

### **Dwelling, Multi-Attached**

Shall mean a building consisting of 3 or more dwelling units that are horizontally attached, each which may be entered from an exterior yard and/or from an internal common space, access hallway or walkway.

### **Dwelling, Semi-Detached**

Shall mean a separate building divided vertically in whole or in part into not more than 2 separate and distinct dwelling units, and may be held in separate ownership, each of which has an independent entrance.

### **Dwelling, Single Detached**

Shall mean a completely detached permanent dwelling occupied as a single dwelling unit, and to which entrance is gained only by a private entrance outside the building, but shall not include a mobile home, tourist trailer, or camper.

### **Dwelling, Split-level**

Shall mean a dwelling containing 3 or more sections at different levels, where the difference in elevation is not less than 1 m, or more than 2 m between any such section.

### **Dwelling, Townhouse**

Shall mean the whole of a dwelling house divided vertically into 2 or more dwelling units, each having an independent entrance directly from outside the building.

### **Dwelling Unit**

Shall mean a room or suite of rooms occupied or capable of being occupied as an independent and separate housekeeping establishment and having self-contained culinary and sanitary features.

### **Easement**

Shall mean the right of use over the property of another land owner. This may include the right to enter and exit upon the property of another.

### **Eating Establishment**

See restaurant.

### **Equestrian Centre**

Shall mean the use of lands, buildings or structures for the purpose of boarding of horses, the training of horses and riders, the staging of equestrian events, but does not include the racing of horses.

### **Equipment Sales and Rentals**

Shall mean the use of lands, buildings and structures, in which machinery and equipment are offered for sale or kept for rent, lease, or hire under agreement for compensation.

### **Erect**

Shall mean with reference to a building or structure, to build, construct, reconstruct or enlarge, and includes: a) any physical operations such as excavate-filling, grading, or drawing preparatory to building construction or reconstruction; b) the moving of a building or structure from one location to another; and c) any work which requires a building permit.

### **Established Building Line**

The average distance of the building line existing on one side of a block where more than one half of the lots having street access upon the said side of the block have been built upon. Refer to Section 5.5a) of this By-law for additional information.

### **Existing or Existed**

Shall mean in existence on the effective date of the passing of this By-law.

### **Family**

Means one person, or two or more persons related by blood, legal adoption or marriage, or a group of not more than five persons not so interrelated living together as a single housekeeping unit.

### **Farmers Market**

Shall mean a building or structure in which farm produce comprises the major portion of goods offered or kept for sale directly to the public in either indoor or outdoor venues.

### **Financial Institution/Bank**

Means a building designed for the purpose of lending, borrowing, exchanging, issuing, or safeguarding money.

### **Finished Grade**

Shall mean the average elevation of the finished surface of the ground at base of a structure, which abuts a front yard, exclusive of any embankment in lieu of steps.

**Flood Plain**

Shall mean the horizontal area bordering a lake, river, stream or watercourse, which is subject to flooding and the limits of such flood plain as defined by the applicable Conservation Authority having jurisdiction.

**Floor Area**

Means, with reference to a building, the total habitable floor area within a building as measured between the exterior faces of the exterior walls or from the centre line of a common party wall, but excluding any private garage, breezeway, porch, veranda, balcony, sunroom, attic, basement or cellar.

**Floor Area, Gross (Dwelling)**

Shall mean, in the case of a dwelling, the aggregate of the areas of all habitable rooms measured from the exterior faces of the exterior walls but excluding any detached accessory buildings, a breezeway, unenclosed sunroom, porch, and/or verandah, attic, cellar, or basement.

**Floor Area, Gross (Building)**

In the case of a building other than a dwelling, it shall mean the aggregate of the area of all floors devoted to retail sales, customer service and/or office use, face of exterior walls but shall not include mezzanine areas, mechanical rooms, common walls, stairwells, garbage and electrical rooms, parking structures and similar uses ancillary to the main use.

**Floor Area, Ground**

Means the floor area of the lowest storey of a building approximately at or first above the finished grade level excluding any basement, cellar, or sub cellar, which area is measured between the exterior faces of the exterior walls at the floor level of such storey, but excludes car parking areas within the building and for the purpose of this paragraph the walls of an inner court are and shall be deemed to be exterior walls.

**Floor Area, Manufacturing**

Shall mean that portion of the gross floor area of an establishment, which is used for manufacturing purposes, but does not include areas of storage or offices.

**Forestry**

Shall mean the use of land for the purpose of conservation and/or the growing and cutting of trees for the purpose of producing commercial/non-commercial wood products but shall not include the manufacturing or processing of such products.

**Fuel Storage Tank**

Means a tank for the bulk storage of flammable liquids or fluid sold at retail or wholesale, but does not include a container for flammable liquid or fluid legally and properly kept in a retail store or a tank for storage merely incidental to some other use of the premises where such tank is located.

**Funeral Home**

Shall mean a building designed for the purpose of furnishing funeral supplies and services to the public, including preparation for interment or cremation.

**Garage, Attached**

Means a private garage accessory to a dwelling unit on the same lot and attached by a common wall and/or common roof structure and is designed or used for the sheltering of private motor vehicles and the storage of household equipment incidental to residential occupancy and in which there are no facilities for repairing or servicing such vehicles for remuneration or commercial use and is fully enclosed and excludes a carport or other open shelter; provided, however, for the purpose of determining lines of setback and side yard, an attached garage shall be considered part of the main building.

**Garage, Detached**

Means a private garage, accessory to a dwelling unit on the same lot, which is designed or used for the sheltering of private motor vehicles and the storage of household equipment incidental to residential occupancy and in which there are no facilities for repairing or servicing such vehicles for remuneration or commercial use, and is fully closed and excludes a carport or other open shelter.

**Garden Suite**

Means a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and is designed either to be portable, or the habitable space is easily removed or altered to a use permitted by the By-law, after expiry of the use.

**Golf Course**

Shall mean the use of public or private lands for the purpose of playing golf, including clubhouse facilities, but excluding driving ranges, miniature golf courses, and similar commercial uses.

**Golf Driving Range**

Shall mean the commercial use of lands, buildings, or structure for the purpose of practicing the driving of golf balls in a manner which does not require a golf course.

**Greenhouse, Commercial**

Means a building for the growing of flowers, plants, shrubs, trees and similar vegetation which are not necessarily transplanted outdoors on the same lot containing such greenhouse, but are sold directly from such lot at wholesale or retail.

**Greenhouse, Farm**

Means a building for the growing of plants, shrubs, trees and similar vegetation, which are primarily transplanted outdoors on the same lot containing such greenhouse, and includes no retail sales directly from the lot.

**Gross Vehicle Weight**

Shall mean the total weight of a motor vehicle plus the licensed capacity of such motor vehicle as rated by the Ministry of Transportation and Communication.

**Group Home**

Means a single housekeeping unit in a residential dwelling in which three to ten persons, excluding supervisory staff or receiving family, live as a family under responsible supervision consistent with the particular needs of its residents. The home is licensed and approved under Provincial Statutes.

**Guest**

Shall mean a person who contracts for accommodation in a motel or hotel or other similar accommodation, and includes all members of the persons' party.

**Guest Room**

Shall mean a room, suite, or rooms used or maintained for the accommodation of the public.

**Habitable Room**

Means a room in a dwelling used or intended to be used primarily for human occupancy, but does not include a bathroom, toilet room, serving or storage pantry, laundry and corridor.

**Hazard Lands**

Shall mean lands having inherent environmental hazards severe enough to pose a risk of loss of life, property damage, and social disruption if developed upon.

**Height**

Means, with reference to a building, the vertical distance measured from the average finished grade level of such building to:

- (i) in the case of a flat roof, the highest point of the roof surface, or the parapet, whichever is the greater, and
- (ii) in the case of a pitched roof, to the peak.

**High Water Mark**

Shall mean the mark made by the action of water under natural conditions on the shore or bank of a body of water, which action has been so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark. The high water mark in the context of Lake Eugenia shall be further defined as the 434.23 Canadian Geodetic Datum (649.0 feet), which is also the maximum operating elevation of the dams.

### **Home Industry**

Means an occupation accessory to a permitted agricultural or rural use or rural residential use, which may include; a carpentry shop, welding shop, plumbing shop, electrical shop, small appliance repair; however, a public garage shall not be considered a home industry. Refer to the General Provisions of this By-law (Section 5.12) for regulations pertaining to Home Occupations.

### **Home Occupation**

Means an accessory use conducted within a legally established residential dwelling unit. Refer to the General Provisions of this By-law (Section 5.11) for regulations pertaining to Home Occupations.

### **Horticultural Nursery**

Shall mean the use of land, buildings or structures for the purpose of growing and/or selling trees, shrubs, flowers, grass or other horticultural elements, decorative stonework, paving, screening or other architectural elements associated with landscaping, and shall include outdoor storage in the front yard.

### **Hospital**

Shall mean a hospital as defined under the Public Hospital Act, or under the Private Hospital Act, as amended from time to time.

### **Hotel**

Shall mean an establishment that consists of 1 building, or 2 or more connected, that caters to the need of the public by furnishing sleeping accommodation, including permanent staff accommodation, may or may not supply food, and is licensed under the Liquor License Act and operating under the Tourism Act.

### **Industrial Uses, General**

Shall mean the use of land, buildings or structures for the manufacturing, assembly, and prefabrication of goods or materials and shall include warehousing and wholesaling and transport terminals.

### **Industrial, Dry**

Shall mean the use of land or buildings for the manufacturing, assembly, and prefabrication of goods or materials in which large quantities of water are not consumed, and effluent not discharged. Dry industrial uses may use, but do not require the use of municipal sanitary or water services for the principal operation of the use.

### **Industrial, Extractive**

Shall mean a sand, gravel, stone, earth, clay, fill or mineral pit as defined and licensed by the Aggregate Resources Act, and shall include the processing of natural materials extracted from the subject site including screening, sorting, washing, crushing, storing and other similar operations allied to an extractive industrial operation but shall not include a ready mix plant or hot mix plant.

**Industrial, Light**

Means the use of land, building, or structure for the manufacturing, assembly, storage, or processing of component parts of finished products suitable for wholesale or retail trade but does not include food, beverage, tobacco, rubber, leather, textile and knitting, printing, metal fabrication, or similar industries if these industries involve stamping, presses, furnaces, machinery, or the emission of any air, water, or noise pollution that creates a nuisance outside of the building or structure or beyond the limits of the lot. Light industrial uses may use, but do not require the use of municipal sanitary or water services for the principal operation of the use.

**Industrial, Small-Scale**

Shall mean an industrial activity which is located on agricultural or rural lands, and which exceeds the provisions for a Home Industry use. In the case of agricultural lands, the small-scale industrial use shall be directly supportive and related to the agricultural operation and located in close proximity to farm operations in the area. In the case of rural lands, the small-scale use shall serve the needs of the immediate area and the agricultural/rural community, and the location poses no operating constraints to an existing farm. Refer to the General Provisions of this By-law for regulations pertaining to small-scale industrial uses.

**Institutional**

Shall mean the use of land, buildings, or structures, for non-commercial purposes by an organization, group, or association for religious, charitable, educational, health, or public purposes but not including lands used as a tent and trailer campground, or lands containing sleeping cabins or housekeeping cottages.

**Karst Topography**

Shall mean a depth of soil generally less than one metre over fractured bedrock.

**Kennel**

Shall mean lands or buildings where dogs and other domestic animals, other than poultry or livestock are bred and raised and are sold or kept for sale or boarded.

**Land Fill Site**

Shall mean an area of land where solid waste is disposed of on land under controlled conditions for the purpose of waste management.

**Landscaped Open Space**

Shall mean open space comprised of lawn and ornamental shrubs, flowers, and trees, and may include space occupied by paths, walks, courts and patios.

**Lane**

Shall mean a public thoroughfare, which affords only a secondary means of access for vehicular traffic to abutting lots.

### **Laundry Shop/Establishment**

Shall mean a building in which the business is conducted on the ground floor by means of one or more washers, having a capacity not exceeding 30 kg. Only water and detergents are used.

### **Livestock**

Shall mean chickens, turkeys, cattle, hogs, horses, mink, rabbits, sheep, goats, or any other domestic animal used for human consumption.

### **Livestock Housing Capacity**

Means the maximum number of livestock that can be accommodated in a livestock facility at any one time.

### **Livestock Facilities**

Shall mean livestock barns, buildings or structures where animals or poultry are housed and shall also include beef feedlots and the associated manure storage facilities.

### **Livestock Unit**

Means the equivalent values for various types of animals and poultry based upon manure production and production cycles, as defined in the Minimum Distance Separation Formulae (as listed in Table 4 of Section 5.26 of this By-law) and as defined in the Nutrient Management Act.

### **Loading Space**

An off-street space on the same lot as the building for temporary parking of a commercial vehicle while loading or unloading merchandise or materials.

### **Long Term Care Facility**

Shall mean a lot, building, or structure where living accommodation is provided to residents in private or semi-private rooms or wards and where culinary facilities and social and recreational areas are available.

### **Lot**

Shall mean a parcel of land that may be legally conveyed.

### **Lot, Area**

Shall mean the total horizontal area within the lot lines of a lot.

### **Lot, Corner**

Shall mean a lot situated at the intersection of and abutting upon two or more streets, provided that the angle of intersection of such streets is not more than 135 degrees.

### **Lot, Coverage**

Shall mean the percentage of the total lot area at or above grade that is covered by all buildings and/or structures, and does not include overhanging eaves. Decks, porches, and in-ground and above-ground permanent pools shall constitute lot coverage

### **Lot, Depth**

Shall mean the horizontal distance between the front and rear lot lines. Where such lot lines are not parallel, the lot depth shall be the mean distance between them.

### **Lot, Frontage**

Shall mean the horizontal distance between the side lot lines measured at right angles. Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage shall be measured from a line 7m back from and parallel to the chord of the lot frontage. For the purpose of this by-law, the chord is a straight line joining the two points where the side lot line intersects the front lot lines.

### **Lot, Interior**

Shall mean a lot, which has street access other than a corner lot.

### **Lot Line**

Shall mean any boundary of a lot or the vertical projection thereof.

### **Lot Line, Exterior Side**

Shall mean the lot line of a corner lot, other than the front lot line, which abuts a street but

- (a) In the case of a corner lot abutting a 0.3 metre (1 foot) reserve, the lot line abutting the 0.3 metre (1 foot) reserve shall be deemed an exterior side lot line and the other line abutting the street shall be deemed the front lot line.
- (b) In the case of a lot abutting more than 1 private street, the shortest lot line abutting the private street shall be deemed the front lot line, and all other lot lines abutting private streets shall be considered exterior side lot lines.

### **Lot Line, Front**

Shall mean the lot line that divides the lot from the street but

- (a) In the case of a corner lot, the shorter lot line that abuts the street shall be deemed the front lot line and the longer lot line that abuts the street shall be deemed the side lot line;
- (b) In the case of a corner lot with two street lines of equal lengths, the lot line that abuts the wider street or abuts a Provincial Highway shall be deemed to be the front lot line, and if similar, the Municipality may designate either street line as the front lot line;
- (c) In the case of a lot abutting one or more private streets, the shortest lot line abutting the private street shall be deemed the front lot line;
- (d) In the case of a through lot, two front lines shall exist;

### **Lot Line, Interior Side**

Shall mean a lot line, other than a front or rear lot line.

**Lot Line, Rear**

Shall mean the lot line furthest from and opposite to the front lot line.

**Lot, Through**

Shall mean a lot bounded on two opposite sides by a street.

**Manse**

Shall mean a single detached dwelling for the housing of a church clergy and family.

**Manufacturing Plant**

Shall mean a building or structure in which a product is fabricated and from which such product is shipped to a wholesale or retail outlet.

**Manure, Liquid Facility**

Shall mean a building or structures in which animal waste is stored in a liquid state.

**Manure, Solid Facility**

Shall mean a building or structure or area of land where animal waste is stored in a solid state.

**Marina**

Shall mean a building containing docking facilities and located on a navigable waterway, where boats and boat accessories are stored serviced, repaired or kept for sale, and where the sale of marine fuels and/or lubricants may be provided.

**Market Garden**

Shall mean an area of land that is used for the growing of vegetables and/or berry fruit crops and/or flowers that are then sold at retail on the lot to customers who either purchase the product after it has been picked or pick the product themselves.

**Metal Works Shop, Small-Scale Commercial/Industrial**

Shall mean a building, structure or area where metal is stored, sanded, welded, and worked for use in the production of agricultural components, and includes metal cutting, welding, brazing, facilities for metal working, and the distribution of such metal worked agricultural products on a wholesale basis. Refer to General Provisions of this By-law for regulations governing small-scale commercial/industrial uses.

**Minimum Distance Separation (MDS)**

Shall mean the formula used to determine a recommended distance between a livestock facility and another land use in order to prevent land use conflicts and minimize nuisance complaints from farming odour. The Minimum Distance Separation formula is included in the General Provisions (Section 5.26) of this By-law.

Definitions associated with, and applicable to MDS include the following:

- a) **Active Recreational Use:** means a recreational use usually with buildings and/or with a concentration of uses such as golf courses, other playing fields, trailer parks, campgrounds and conservation areas with facilities.
- b) **Agriculturally Related Commercial/Industrial uses:** means uses directly related to agriculture and necessary in close proximity to farm operations, such as animal husbandry services, produce or grain storage facilities, or farm machinery outlets.
- c) **Animal Group:** means livestock and poultry grouped according to manure production.
- d) **Housing Capacity:** means the total maximum livestock capacity for the facility at any one time.
- e) **Livestock Facilities:** means livestock barns where animals or poultry are housed, including beef feedlots, and the associated manure storage.
- f) **Livestock Units:** means the equivalent values for various types of animals and poultry based on manure production and production cycles.
- g) **Multiple Residential:** means three or more residential units in the same building.
- h) **Passive Recreational Use:** means a recreational use not requiring buildings and not altering the soil or topography, such as open space and environmental areas.
- i) **Rural Residential Cluster:** means four or more adjacent rural residential lots, generally 1 hectare or less in size, sharing a common boundary. Lots located directly across the road from one another shall be considered as having a common boundary.
- j) **Separation Distance:** means the horizontal distance measured between the closed point of the exterior wall of the livestock facility (i.e. buildings, manure storage tank, pad or stacker) and the closed point of the neighbouring incompatible use, which in the case of a vacant lot, shall mean the building envelope established through setback requirements.
- k) **Tillable Hectares:** means land including pasture that can be worked or cultivated.
- l) **Urban Expansion:** means outward expansion of towns, villages, and hamlets for such uses as residential, recreational, institutional, and commercial and industrial.

### **Mobile Home**

Shall mean a detached structural unit which is designed to be and is capable of being transported after fabrication, either on its own wheels, on detachable wheels, on a flat bed or other trailer, to a lot, and which is suitable for year round occupancy in similar fashion as a dwelling unit, except for minor and incidental unpacking and assembly operations, placement on defined supporting structures and connection to utilities.

### **Mobile Sign**

Shall mean a sign mounted on a trailer or other structure, which is designed in such a manner to facilitate its movement from place to place.

### **Motel**

Shall mean a building consisting of a number of individual rental units, used for catering to the needs of the traveling public by furnishing sleeping accommodation, with or without food.

### **Motor Home (Recreational Vehicle)**

Shall mean a self-propelled vehicle designed, intended, and used for travel recreation or vacation and, in addition, used for living, sleeping, and eating on a temporary basis.

### **Motor Vehicle Sales and Service Establishment**

Shall mean a building or lot used for the display and sale of new and/or used motor vehicles including motor homes and may include the servicing, repair, cleaning, polishing, lubrication, and painting of motor vehicles, the sale of automotive parts and the leasing or renting of motor vehicles.

### **Motor Vehicle Service Station**

Means a retail place of business, the prime function of which is the sale of automotive fuels and products and/or providing repair service and maintenance to motor vehicles, excluding body and fender work.

### **Municipal Drain**

Shall mean drainage works as defined by the Ontario Drainage Act, as amended from time to time.

### **Municipal Recycling Depot**

Shall mean a premise on which household materials such as paper products, glassware, plastics, metal cans, and other items included in a municipality's recycling program, which are separated prior to shipment but does not include any processing of the material, salvage yard, or automobile wrecking establishment.

### **Non-Complying**

Means a building or structure, which is a permitted use at the date of the passage of this by-law, but does not comply with the provisions of the respective zone.

### **Non-Conforming**

Means land, building or structures legally existing at the date of the passage of this by-law, which is used for purposes prohibited by this by-law.

### **Nursery School**

Means a day nursery operated for pre-school age children within the meaning of the Day Nurseries Act, R.S.O. 1990, as amended from time to time.

### **Nursing Home**

A building where persons are housed or lodged or furnished with meals, nursing, medical or similar care and treatment, as licensed by the Ministry of Health.

### **Obnoxious**

Means when used with reference to any use of land, building or structure, a use from its nature or from the manner of carrying on the same, creates or is liable to create by reason of destructive gas fumes, dust, objectionable odour, noise, vibration, unsightly storage of goods, wares, merchandise salvage, junk, waste, or other material, a condition which may become hazardous or injurious regarding health or safety, or which prejudices the character of the surrounding area or interferes with, or may interfere with, the normal enjoyment of any use of land, building or structure.

**Office, Business**

Means any building or part of a building in which one or more persons are employed in the management, direction or conducting of an agency, business, or organization, but excludes such uses as retail sale, manufacture, assembly or storage of goods, or places of assembly and amusement.

**Office, Professional**

Means a building or part of a building in which professionally qualified persons such as doctors, lawyers, or engineers, and their staff, serve clients or patients who seek advice, consultation or treatment.

**Open Storage Area**

Shall mean a portion of a lot where goods and/or materials are stored or kept for future manufacture or assembly and/or sale by retail or wholesale, outdoor display area not included.

**Outdoor Display Area**

Shall mean a portion of a lot used for exhibiting in an orderly manner, completely assembled or finished products sold by a retail business on the same lot.

**Park, Private**

Means a recreational area other than a public park and may include therein one or more swimming pools, wading pools, picnic areas, refreshment rooms, tent camping areas, boating facilities, tennis courts, bowling greens, golf courses or similar open space uses.

**Park, Public**

Means a recreational area owned or controlled by the Corporation or by any Board, Commission or other Authority established under any statute of the Province of Ontario.

**Parking Area**

Shall mean an area provided for the parking of motor vehicles and may include aisles, parking spaces and related ingress and egress lanes, and a private garage.

**Parking Lot**

Shall mean any parking area other than a parking area required under the provisions of this by-law.

**Parking Space**

Shall mean an area of land, not being part of a highway or street and having unobstructed access to a public street or lane, used for temporary parking or storage of motor vehicles.

**Person**

Means an individual, association, firm partnership, corporation, trust, incorporated company, organization, trustee, or agent, and the heirs, executors, or other legal representatives of a person to whom the same can apply according to the law.

### **Personal Service Shop**

Means a building or part of a building, not otherwise defined or classified herein, for the performance of personal services such as a barber shop, beauty parlour, or Laundromat, or for the servicing or repairing of articles, goods or materials, and in which no product is manufactured and includes radio, television and appliance repair shops but does not include a motor vehicle repair shop.

### **Place of Entertainment**

Means a motion picture amusement arcade or other theatre, auditorium, billiard or pool room, bowling alley, ice or roller skating rink, curling rink, or dance hall.

### **Place of Worship**

Shall mean a building dedicated to religious worship and shall include a church hall, church auditorium, Sunday School, parish hall, day nursery, convent, monastery, manse or rectory or parish hall.

### **Plant, Hot Mix**

Shall mean a building used for the manufacturing of asphalt and aggregate in a form suitable for immediate use in paving of roads or driveway, and damp proofing.

### **Plant, Ready Mix**

Shall mean a building used for the manufacturing of concrete in a form suitable for the immediate use in the construction of buildings, structures, roads, or driveways.

### **Planting Strip**

Shall mean an area that shall be used for no other purpose other than planting a row(s) of trees or a continuous unpierced hedgerow of evergreens or shrubs not less than 1.5 metres high, and immediately adjacent to the lot line.

### **Playground**

Shall mean any land used for the purpose of recreation or field games and not operated for profit.

### **Post Office**

Shall mean a building that is used for the sorting, storage, handling, and delivering of letters, parcels, and packages. Also includes the sale of stamps.

### **Prefabricated Home**

Means a building, which is capable of being occupied exclusively as a dwelling and which is comprised of prefabricated components, which are manufactured off-site, transported to and erected on an acceptable foundation on a lot.

### **Processing Plant**

Means the use of lands, buildings, or structures, where agricultural produce, including meat and poultry products, is washed, cleaned, dusted, waxed, or otherwise prepared or packaged and from which such produce is shipped to a wholesale or retail outlet.

### **Public Building**

Means any building or structure owned or leased by the Municipality, Corporation of the County of Grey, the Province of Ontario, or the Government of Canada.

### **Public Garage**

Shall mean premises where motor vehicles and agricultural and heavy equipment are kept or stored for repair and/or maintenance, but does not include an automatic car washing establishment, a motor vehicle sales and service establishment, motor vehicle service station, or a Transport Terminal.

### **Quarry**

Shall mean a place licensed under the Aggregate Resources Act, where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industrial, or man-made purposes.

### **Recreational Use (Active and Passive)**

Means the active use of land, buildings or structures where facilities are provided for recreational purposes and may include a curling rink, mini golf course, billiard hall, bowling alley, lawn bowling greens, arena, gymnasium, skating rink, playgrounds, parks, athletic fields, tennis courts, picnic areas, swimming pools, day camps, and community centres, but does not include any use requiring the operation of motorized vehicles, the racing of animals, tourist cabins or campgrounds, golf courses or golf driving ranges.

Where a Passive Recreational use has been referred to in this By-law, it shall mean an activity or use of land carried out for recreational purposes, which does not require the construction of buildings or the alteration of soil or topography and uses shall be limited to open space, trails, environmental areas, and picnic areas.

### **Renovation**

Means the repair and restoration of a building to good condition but shall not include its replacement.

### **Restaurant**

Shall mean a building, or part thereof, used for the serving of foods or refreshments to the public, with the serving and consumption of food taking place within the building, except for a terrace or patio or other open areas adjacent to the building where the serving and consumption of food and refreshments may take place on a temporary or seasonal basis.

### **Retail Store**

Shall mean a building or part of a building in which goods, wares, merchandise, substances, articles, things or services are offered or kept for sale at retail or on a rental basis, and would include supermarkets and food stores, but does not include any establishment otherwise defined or classified herein, or any manufacturing, processing, construction uses, or outdoor storage.

### **Retirement Home**

Means any home for senior citizens sponsored and administered by any public agency or any service club, church or non-profit organization, either of which obtains its financing from federal, provincial, or municipal governments or agencies, or by public subscription or donation, or by any combination thereof, and such homes shall include auxiliary uses such as club and lounge facilities, usually associated with the senior citizen's development.

### **Salvage Yard**

Shall mean a lot and/or premises for the storage and/or handling of scrap materials, which without limiting the generality of the foregoing, shall include waste paper, rags, bones, bottles, bicycles, vehicles, tires, metal and/or scrap material and salvage and includes a junk yard, scrap metal yard and an automobile wrecking yard or premises.

### **Sawmill and Woodworking Shop**

Shall mean a building, structure or area where lumber is stored, cut, sawed or planed, and includes woodturning, facilities for kiln drying of lumber, and the distribution of such products on a wholesale basis. Also permitted is the storage of both raw materials (logs) and finished products (timber).

Refer to General Provisions of this By-law for regulations governing small-scale commercial/industrial uses such as sawmills or woodworking shops.

### **School, Commercial**

Shall mean a school conducted for gain, such as a secretarial school, model school, language school, dance school, or driving school.

### **School, Private**

Shall mean a school, other than a public school, operated by a non-profit organization and supported by private means.

### **School, Public**

Shall mean any elementary or secondary school established and maintained either wholly or partially at public expense and includes any playing fields, recreational facilities, or dorm building.

### **Secondary Uses**

Shall mean uses secondary to the principal use of the property, including home occupations, home industry, and uses that produce value-added agricultural products from the farm operation on the property.

### **Separation Distance**

Shall mean the Minimum Distance Separation formulae I and II developed by the Province to separate uses so as to reduce incompatibility concerns about odour from livestock facilities. MDS I relates to the establishment of new non-farm uses, while MDS II relates to new livestock buildings in rural and agricultural areas.

### **Services, Communal**

Means sewage works and sewage systems, and water works that provide for the distribution, collection or treatment of sewage or water but which are (i) not connected to full municipal sewage and water services, (ii) are assumed by the municipality, and (iii) the design and type has been approved by Council and validated by an acceptable Servicing Options Study.

### **Services, Full Municipal**

Means piped sewage and water services that are connected to a centralized water and wastewater treatment facility.

### **Services, Partial**

Means individual autonomous water supply and sewage disposal systems, that are owned, operated and managed by the owner of the property upon which the system is located and which do not serve more than five residential units/lots.

### **Service Shop**

Shall mean a building for the sale or repair of household articles, and includes radio, TV, and appliance repair shops but does not include industrial or manufacturing uses or motor vehicle repair shops.

### **Setback**

Shall mean the horizontal distance from the lot line of the lot, measured at right angles to such lot line, to the nearest part of any building or structure on the lot.

### **Shopping Centre**

Shall mean a group of two or more commercial uses designed, developed, and managed as a unit by a single owner or tenant, or group of tenants, and has an off-street parking area provided on the site.

### **Sight Triangle**

Shall mean the triangular space formed by the street lines of a corner lot and a line drawn from a point in one street line to a point in the other street line or railway line, each such point being nine metres from the point of intersection of the street lines.

### **Sign**

Means a name, identification, description, device, display, or illustration which is affixed to, or represented directly or indirectly upon a building, structure, or lot and which directs attention to an object, product, place, activity, person, institution, organization or business.

### **Site Alteration**

Shall mean activities, such as filling, grading and excavation that would change the landform and natural vegetative characteristics of a site.

**Site Plan**

Means a scaled drawing showing lot lines, buildings or structures existing and/or proposed on a lot, and including such details as parking areas, access point, landscaped areas, building areas, setbacks from lot lines, building heights, floor area, lot coverage, lighting, septic tank tile fields, utility lines, site servicing details, grading and drainage and stormwater management.

**Storage Industry**

Shall mean the use of lands or buildings for storing materials, goods, or produce to preserve them in a condition that makes them usable at a later date.

**Storey**

Shall mean that portion of a building (other than basement and attic) which is included between one floor level and the next highest, and which is not less than 2.3 metres and no higher than 4.3 metres.

**Storey, Half**

Shall mean that portion of a building situated within the roof, or having its floor level not less than 1.2 metres below the line where the roof and interior enclosing walls meet, and having a roof not steeper than sixty degrees above the horizontal.

**Street, Public Improved**

Shall mean a Highway, which has been assumed for public use and is maintained year-round by the municipality or any other public authority.

**Structure**

Shall mean anything that is erected, built, or constructed of parts joined together or requiring a foundation to hold it erect, but shall not include free standing walls, fences, or hedges.

**Swimming Pool**

Shall mean an artificial body of water, excluding ponds, of more than 9 square metres in area, and having a depth in excess of 1.3 metre used for swimming, bathing, or diving.

**Tavern**

Shall mean a building where beverages are offered for sale to the public for immediate consumption, which require a License under the Liquor License Act, R.S.O. 1990, as amended from time to time.

**Temporary Farm Help Accommodation**

Shall mean a separate building or trailer used or intended to be used for seasonal accommodation of workers employed by the owner or operator of the farm.

### **Temporary Use**

Means the use of land, buildings, or structures for a construction office, tool shed, or for the storage of scaffolds, equipment and material which is incidental to and necessary for construction work in progress for so long as the same are necessary for the construction work which has neither been finished nor abandoned on the same lot.

### **Tent/Trailer Campground**

Means the use of land for the provision of overnight or short term accommodation for trailers, motor homes, and tents but not mobile homes and includes services and facilities normally incidental and subordinate to such a use including washroom and bathing facilities, active and/or passive recreational uses, and an entrance kiosk.

### **Tent**

Shall mean every kind of temporary shelter for sleeping that is not permanently affixed to the site and is capable of being easily moved, and is not considered a structure, vehicle, or trailer.

### **Top-of-Bank**

Shall mean a line delineated at a point where the oblique plane of the slope meets the horizontal plane.

### **Trailer**

Shall mean a structural unit designed, intended, and used for travel, recreation, or vacation, and which is capable of being drawn by a motor vehicle, and shall include tent trailers or similar transportable accommodation used for living, sleeping, or eating on a temporary or occasional basis, and does not include a mobile home.

### **Transport Terminal**

Shall mean the use of land, buildings or structures for the purpose of storing, servicing, repairing, or loading of trucks, transport trailers and/or buses, but does not include a motor vehicle sales or service establishment, or transportation sales or rental outlets.

### **Use**

Shall mean the purpose for which any land, buildings, structures, or premises is arranged, designed, or intended to be used, or is or may be occupied or maintained; the word 'used', 'to use', and 'uses' have a corresponding meaning.

### **Utility Building**

Shall mean a building used in conjunction with the supplying of local utility services, including a water or sewage pumping station, a water storage reservoir, a gas regulator building, a hydro substation, a telephone building for exchange, long distance, or repeater services.

### **Warehouse**

A building used for the storage and distribution of goods, wares, merchandise, substances, or things, and may include facilities for a wholesale and/or retail outlet.

**Watercourse**

Shall mean the natural or altered channel for a stream or water body and, for the purpose of this By-law, includes the channel for intermittent streams.

**Water Taking, Commercial**

Shall mean the use of land where water is extracted from surface or ground water and where some or all of such extracted water is transported from the site for commercial sale.

**Wayside Pit & Quarry**

Shall mean temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

**Wholesale Use**

Shall mean any establishment, which sells merchandise to others for resale and/or to industrial or commercial users.

**Yard**

Shall mean an open, uncovered space on the same lot with a building, structure or use.

**Yard, Front**

Shall mean a yard extending across the full width of the lot between the front lot line and the nearest part of any building, structure, or open storage use on the lot.

**Yard, Rear**

Shall mean a yard extending across the full width of the lot between the rear lot line and the nearest point of any building, structure, or open space use on the lot.

**Yard, Side**

A yard extending from the front yard to the rear yard and from the side lot line to the nearest part of any building, structure, or open storage on the lot.

**Yard, Exterior Side**

Shall mean a side yard immediately adjoining an improved public street.

**Yard, Interior Side**

Shall mean a side yard other than an exterior side yard.

**Zone**

Shall mean an area delineated on a Zoning Map Schedule and established by this By-law for a specific use.